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Alexandria, VA 22313-1450

PATENT  
Attorney Docket No.: 015389-002950US  
Client Reference No.: 18/206P2

On OCT. 6, 2003

TOWNSEND and TOWNSEND and CREW LLP

By: Nicole M. Wartell  
Nicole M. Wartell

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

CECH et al.

Application No.: 08/974,584

Filed: November 19, 1997

For: TELOMERASE REVERSE  
TRANSCRIPTASE

Examiner: Myers, Carla J.

Art Unit: 1634

SUPPLEMENTAL INFORMATION  
DISCLOSURE STATEMENT UNDER 37  
CFR §1.97 and §1.98

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. Copies of the references are enclosed. It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

10/09/2003 HROCHA1 00000010 201430 00974584

01 FC:1006

100.00 DA

This IDS is being filed before the mailing date of the final Office Action or Notice of Allowance.

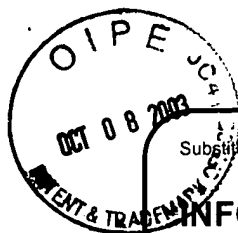
Please charge the IDS fee of \$180 to Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Scott Ausenhus", written over the typed name.

Scott L. Ausenhus  
Reg. No. 42,271

TOWNSEND and TOWNSEND and CREW LLP  
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SLA:nmb



Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 5

**Complete if Known**

Application Number	08/974,584
Filing Date	November 19, 1997
First Named Inventor	
Art Unit	1634
Examiner Name	Myers, Carla J.
Attorney Docket Number	015389-002950US

**U.S. PATENT DOCUMENTS+**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number Kind Code <sup>2</sup> (if known)			
	A1	US-5,597,697	01-28-1997	Diamond	
	A2	US-5,747,317	05-05-1998	Cao	
	A3	US-5,770,422	06-23-1998	Collins	
	A4	US-5,917,025	06-29-1999	Collins	
	A5	US-5,919,656	07-06-1999	Harrington, et al.	
	A6	US-6,166,178	12-26-2000	Cech et al.	
	A7	US-6,337,200 B1	01-08-2002	Morin	
	A8	US-6,475,789 B1	11-05-2002	Cech et al.	
	A9	US-6,610,839 B1	08-26-2003	Cech et al.	
	A10	US-6,617,110 B1	09-09-2003	Cech et al.	

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
	B1	GB	2 317 891	A	04-08-1998			<input type="checkbox"/>
	B2	PCT	WO 93/23572	A1	11-25-1993			<input type="checkbox"/>
	B3	PCT	WO 94/17210	A1	08-04-1994			<input type="checkbox"/>
	B4	PCT	WO 95/13382	A1	05-18-1995			<input type="checkbox"/>
	B5	PCT	WO 96/01835	A1	01-25-1996			<input type="checkbox"/>
	B6	PCT	WO 98/07838	A1	02-26-1998		see abstract	<input type="checkbox"/>
	B7	PCT	WO 98/08938	A1	03-05-1998		see abstract	<input type="checkbox"/>
	B8	PCT	WO 98/14592	A2	04-09-1998			<input type="checkbox"/>
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	B11	PCT	WO 98/23759	A2	06-04-1998			<input type="checkbox"/>
	B12	PCT	WO 98/37181	A2	08-27-1998			<input type="checkbox"/>
	B13	PCT	WO 98/45450	A1	10-15-1998			<input type="checkbox"/>
	B14	PCT	WO 98/59040	A2	12-30-1998			<input type="checkbox"/>
	B15	PCT	WO 99/01560	A1	01-14-1999			<input type="checkbox"/>
	B16	PCT	WO 99/33998	A2	07-08-1999			<input type="checkbox"/>
	B17	PCT	WO 99/38964	A2	08-05-1999			<input type="checkbox"/>
	B18	PCT	WO 00/46355	A2	08-10-2000			<input type="checkbox"/>

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SignatureDate  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Kind Codes of U.S. Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.



Substitute for form 1449B/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 2 of 5

**Complete if Known**

Application Number	08/974,584
Filing Date	November 19, 1997
First Named Inventor	
Art Unit	1634
Examiner Name	Myers, Carla J.
Attorney Docket Number	015389-002950US

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	C1	ADAMSON, D. et al. "Significant Telomere Shortening in Childhood Leukemia", <i>Cancer Genet. Cytogenet.</i> , 1992; pp. 204-206, Vol. 61	
	C2	AUTEXIER, CHANTAL, et al., "Telomerase and cancer: revisiting the telomere hypothesis; Trends in Biochemical Sciences, 1996, pp. 387-391, Vol. 10, No. 21.	
	C3	AVILION, A., "Characterization and expression of human telomerase," Dissertation Abstracts International", 1996, pp. 5930-B, Vol. 56, No. 11	
	C4	BARINGA, MARCIA, "The Telomerase Picture Fills In", <i>Science</i> , April 25, 1997; pp. 528-529, Vol. 276	
	C5	CHIU, et al. "Replicative senescence and cell immortality: the role of telomeres and telomerase (44075)", <i>Proc. Soc. Exp. Bio. Med.</i> , 1997, pp. 99-106, Vol. 214.	
	C6	CHONG, L. et al. "A Human Telomeric Protein", <i>Science</i> , Dec. 1995, pp. 1663-1667, Vol. 270.	
	C7	COLLINS, KATHLEEN, "Structure and function of telomerase", Current Opinion in Cell Biology, 1996, pp. 374-380, Vol. 8	
	C8	COUNTER, C. et al. "Telomerase activity in human ovarian carcinoma"; <i>Proc. Natl. Acad. Sci USA</i> ; April 1994; Vol. 91; pp. 2900-2904	
	C9	COUNTER, C. et al. "Telomerase Activity in Normal Leukocytes and in Hematologic Malignancies" <i>Blood</i> ; May 1, 1995; pp. 2315-2320, Vol. 85; No. 9.	
	C10	COUNTER, C. et al. "Telomere shortening associated with chromosome instability is arrested in immortal cells which express telomerase activity", <i>The EMBO Journal</i> ; 1992, pp. 1921-1929, Vol. 11; No. 5, Oxford University Press.	
	C11	DE LANGE, T. et al. "Structure and Variability of Human Chromosome Ends"; <i>Molecular and Cellular Biology</i> ; February 1990; pp. 518-527, Vol. 10, No. 2.	
	C12	FENG et al., "The RNA Component of Human Telomerase," <i>Science</i> , 1995, pp. 1236-1241, Vol. 269	
	C13	FLAVELL, R. & MATHIAS, R. "Prospects for transforming monocot crop plants", <i>Nature</i> , 12 Jan. 1984, pp. 108-109, Vol. 307.	
	C14	FRESHNEY, <i>Culture of Animal Cells, A Manual Basic Technique</i> , p. 4, Alan R. Liss, Inc. New York, 1983.	
	C15	Genbank Accession No. A46242; September 21, 1993	
	C16	Genbank Accession No. AA299878; April 18, 1997	

Examiner Signature		Date Considered	
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Sheet 3 of 5

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First Named Inventor	
Art Unit	1634
Examiner Name	Myers, Carla J.
Attorney Docket Number	015389-002950US

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	C17	Genbank Accession No. AA311750; April 19, 1997 ✓	
	C18	Genbank Accession No. L38903; January 30, 1995 ✓	
	C19	Genbank Accession No. Q06163; November 01, 1995	
	C20	Genbank Accession No. S39696; October 07, 1994 ✓	
	C21	Genbank Accession No. S53396; May 5, 1995 ✓	
	C22	GenBank Accession No. W70315; June 19, 1996 ✓	
	C23	GLASER, P. et al. "Bacillus subtilis genome project: cloning and sequencing of the 97 kb region from 325° to 333°" <i>Molecular Microbiology</i> , 1993, pp. 371-384, Vol. 10, No. 2. ✓	
	C24	GOODMAN, R. et al. "Gene Transfer in Crop Improvement", <i>Science</i> , 3 April 1997, pp. 48-54, Vol. 236. ✓	
	C25	GREIDER, C. "Telomeres, Telomerase and Senescence"; <i>BioEssays</i> ; 1990; pp. 363-369, Vol. 12, No. 8. ✓	
	C26	HARLEY, C. "Telomere loss: Mitotic clock or genetic time bomb?" <i>Mutation Research</i> ; 1991; pp. 271-282, Vol. 256, Elsevier Science Publishers. ✓	
	C27	HARLEY, C. & VILLEPONTEAU, B. "Telomeres and telomerase in aging and cancer" <i>Current Opinion in Genetics and Development</i> ; 1995, pp. 249-255, Vol. 5. ✓	
	C28	HARLEY, C. et al. "Telomeres shorten during ageing of human fibroblasts", <i>Nature</i> , 31 May 1990; pp. 458-460, Vol. 345. ✓	
	C29	HASTIE, N. et al. "Telomere reduction in human colorectal carcinoma and with ageing", <i>Nature</i> , 30 August 1990, pp. 866-868, Vol. 346. ✓	
	C30	HEALY, K. C. "Telomere dynamics and telomerase activation in tumor progression: prospects for prognosis and therapy" <i>Oncol. Res.</i> , 1995, pp. 121-130, Vol. 7. ✓	
	C31	HENDERSON, C. Cancer genetics gene regulates telomerase resulting in death of cancer cells; <i>Gene Therapy Weekly</i> ; 11 September 1995. ✓	
	C32	HIYAMA, E. et al. "Correlating telomerase activity levels with human neuroblastoma outcomes"; <i>Nature Medicine</i> ; 3 March 1995; pp. 249-255, Vol. 1, No. 3. ✓	
	C33	HOLTZMANN, K. et al. "Telomeric Associations and Loss of Telomeric DNA Repeats in Renal Tumors", <i>Genes, Chromosomes &amp; Cancer</i> , 1993, pp. 178-181, Vol. 6. ✓	

Examiner  
SignatureDate  
Considered

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<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.



Substitute for form 1449B/PTO

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet 4 of 5

## Complete if Known

Application Number	08/974,584
Filing Date	November 19, 1997
First Named Inventor	
Art Unit	1634
Examiner Name	Myers, Carla J.
Attorney Docket Number	015389-002950US

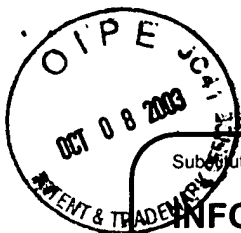
## NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	C34	JÄHNE, A. et al. "Genetic Engineering of Cereal Crop Plants: A Review", <i>Euphytica</i> , 1995, pp. 35-44, Vol. 85, Kluwer Academic Publishers, Netherlands. ✓	
	C35	JOHNSON, P. et al., "Expression of Wild-Type p53 Is Not Compatible with Continued Growth of p53-Negative Tumor Cells", <i>Molecular and Cellular Biology</i> , Jan. 1991, p. 1-11, Vol. 11, No. 1. ✓	
	C36	JOLLIFFE, L.K. "Humanized antibodies: enhancing therapeutic utility through antibody engineering", <i>Int. Rev. Immunol.</i> , 1993, pp. 241-250, Vol. 10 ✓	
	C37	KIM, N. et al. "Specific Association of Human Telomerase Activity with Immortal Cells and Cancer", <i>Science</i> , 23 December 1994, pp. 2011-2014, Vol. 266. ✓	
	C38	KLINGELHUTZ, A. et al. "Restoration of Telomeres in Human Papillomavirus-Immortalized Human Anogenital Epithelial Cells", <i>Molecular and Cellular Biology</i> , Feb. 1994, pp. 961-969, Vol. 14, No. 2. ✓	
	C39	LEWIS, A. & CROWE, J.S. "Generation of humanized monoclonal antibodies by 'best fit' framework selection and recombinant polymerase chain reaction", <i>Year Immunol.</i> , 1993, pp. 110-118, Vol. 7 ✓	
	C40	Linking telomerase and tumors; <i>Genesis Report- Dx</i> ; 1995; Vol. 4, No. 6; Publisher Genesis Group Associates. ✓	
	C41	LUNDBLAD, V. & BLACKBURN, E., Letter to the Editor entitled, "RNA-Dependent Polymerase Motifs in EST1: Tentative Identification of a Protein Component of an Essential Yeast Telomerase", <i>Cell</i> , 23 Feb. 1990, pp. 529-530, Vol. 60. ✓	
	C42	LUSTIG, ARTHUR J., "The identification of telomerase subunits: catalysing telomere research", <i>Trends in Cell Biology</i> ; August 1997, pp. 299-302, Vol. 7. ✓	
	C43	MALICKI, J. et al. "A human <i>HOX4B</i> regulatory element provides head-specific expression in <i>Drosophila</i> embryos", <i>Nature</i> , 23 July 1992, pp. 345-357, Vol. 358. ✓	
	C44	NAKAYAMA, J. et al. "Cloning of a Candidate cDNA Encoding a Proteinaceous Component of Mammalian Telomerase", <i>Molecular Biology Cell Abstracts Supp.</i> 7, 1996, p. 875-884, 286a Section 1664. ✓	
	C45	NATARAJAN et al. "Major histocompatibility complex determinants select T-cell receptor alpha chain variable region dominance in a peptide-specific response." <i>Proc. Natl. Acad. Sci.</i> , Oct 1992, pp. 8874-8878, Vol. 19. ✓	
	C46	PASZKOWSKI, JERZY et al. "Direct gene transfer to plants," <i>The EMBO Journal</i> , 1984, pp. 2717-2722, Vol. 3, No. 12. ✓	
	C47	POTRYKUS, I. et al. "Direct gene transfer to cells of a graminaceous monocot", <i>Mol. Gen. Genet.</i> , 1985, pp. 183-188, Vol. 199. ✓	
	C48	RAYMOND, E., et al.; Agents that target telomerase and telomeres; <i>Curr. Opin. Biotechnol.</i> ; 1996; 7:583-91 ✓	

Examiner Signature		Date Considered	
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(use as many sheets as necessary)

Sheet 5 of 5

**Complete if Known**

Application Number	08/974,584
Filing Date	November 19, 1997
First Named Inventor	
Art Unit	1634
Examiner Name	Myers, Carla J.
Attorney Docket Number	015389-002950US

**NON PATENT LITERATURE DOCUMENTS**

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	C49	RHYU, M.S. "Telomeres, telomerase, and immortality"; <i>J. Natl. Cancer Inst.</i> ; 21 June 1995; pp. 884-894, Vol. 87, No. 12. ✓	
	C50	SCHENA et al. "Parallel human genome analysis: Microarray-based expression monitoring of 1000 genes", <i>Proc. Natl. Acad. Sci.</i> , Oct. 1996, pp. 10614-10619, Vol. 93, USA. ✓	
	C51	SCHWARTZ, H. et al. "Telomere Reduction in Giant Cell Tumor of Bone and with Aging"; <i>Cancer Genet Cytogenet</i> ; 1993; pp. 132-138, Vol. 71, Elsevier Science Publishing Co., Inc., New York, U.S.A. ✓	
	C52	SINGER, M. "Unusual Reverse Transcriptases", <i>Journal of Biological Chemistry</i> ; 1995, pp. 24623-23626, Vol. 270, No. 42. ✓	
	C53	SMITH, J. & YEH, G. "Telomere Reduction in Endometrial Adenocarcinoma"; <i>Am. J. Obstet. Gynecol.</i> ; Dec. 1992; pp. 1883-1887, Vol. 167, No. 6. ✓	
	C54	TAIT, J. et al. "Structure and Polymorphisms of the Human Annexin III (ANX3) Gene", <i>Genomics</i> , 1993, pp. 79-86, Vol. 18, No. 1. ✓	
	C55	WINTER, G. & HARRIS, W. "Humanized Antibodies", <i>Trends Pharmacol. Sci.</i> , May 1993, pp. 139-143, Vol. 14. ✓	
	C56	WIRTH, URS et al; "Immediate-Early RNA 2.9 and Early RNA 2.6 of Bovine Herpesvirus 1 Are 3' Coterminal and Encode of Putative Zinc Finger Transactivator Protein"; <i>Journal of Virology</i> ; May 1992; pp. 2763-2772, Vol. 66, No. 5. ✓	
	C57	ZAUG, ARTHUR et al., "Method for determining RNA 3' ends and application to human telomerase RNA", <i>Nucleic Acids Research</i> , 1996, pp. 532-533, Vol. 24, No. 3. ✓	

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

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<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.



1/2003

1.634 \$

PTO/SB/17 (08-03)

# FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ ) 180

Complete if Known

Application Number 08/974,584  
Filing Date November 19, 1997  
First Named Inventor Cech, Thomas  
Examiner Name 1634  
Art Unit Myers, Carla J.  
Attorney Docket No. 015389-002950US

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit  
Account  
Number

20-1430

Deposit  
Account  
Name

Townsend and Townsend and Crew LLP

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments  
☒ Charge any additional fee(s) during the pendency of this application  
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	750	2001	375	Utility filing fee	
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$ )

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims		Extra Claims		Fees from below		Fee Paid
	** =		X		X	
Independent Claims	** =		X		X	
Multiple Dependent			X			

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	84	2201	42	Independent claims in excess of 3
1203	280	2203	140	Multiple dependent claim, if not paid
1204	84	2204	42	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2)				(\$ )

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	410	2252	205	Extension for reply within second month	
1253	930	2253	465	Extension for reply within third month	
1254	1,450	2254	725	Extension for reply within fourth month	
1255	1,970	2255	985	Extension for reply within fifth month	
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	
1501	1,300	2501	650	Utility issue fee (or reissue)	
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Petitions related to provisional applications	180
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	750	2809	375	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	750	2810	375	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	750	2801	375	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid SUBTOTAL (3)

(\$ )180

## SUBMITTED BY

Complete (if applicable)

Name (Print/Type) Scott L. Ausenhus Registration No. (Attorney/Agent) 42,271 Telephone 303-571-4000  
Signature [Signature] Date

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.